

REMARKS

Claims 1-24 are pending. Claims 1-24 are rejected. Claims 8, 16, and 24 are amended. No new matter is added as a result of these amendments.

Specification

The specification was objected to in the outstanding Office Action, for the manner in which the NETSCAPE™ trademark was presented. The specification has been amended in a manner so as to obviate the cited objection (see attached amendment). Consequently, the Applicants request the withdrawal of the outstanding objection to the specification.

112 Rejections

Claims 8, 16, and 24 were rejected under 35 USC 112 ¶2 for lack of antecedent basis for the term “said logical division”. The claims have been amended in a manner so as to obviate the cited objection (see attached amendment). Consequently, the Applicants request the withdrawal of the outstanding objection to claims 8, 16, and 24.

103 Rejections

Claims 1, 3-9, 11-17, and 19-24 are rejected under 35 USC 103(a) as being obvious over Bertrand et al in view of Cook et al and in further view of Öten et al.

The Examiner is respectfully directed to independent Claim 1 which recites that an embodiment of the present invention is directed to a computer-implemented

method for action selection based upon an objective of an outcome relative to a subject, comprising:

a) acquiring and storing a training set, said training set an existent database of information, wherein said information are attributes of said subject, wherein said training set is to provide a base of data for said method; b) calculating and storing a best behavioral model for predicting said outcome, provided an action is applied to said subject; c) mapping of said training set to said best behavioral model within a business metric space, wherein said mapping is subsequently stored; d) selecting and storing a random sub-sample of said training set mapped to said best behavioral model, said random sub-sample for reducing computational requirements when determining an optimized strategy; and e) determining and storing said optimized strategy for said random sub-sample, said optimized strategy for providing an optimal action relative to said subject for said objective of said outcome.

Claims 9 and 17 recite limitations similar to those found in Claim 1. Claims 3-8, depend from independent Claim 1 and recite further features of the Claimed invention. Claims 11-16 depend from independent Claim 9 and recite further features of the Claimed invention. Claims 19-24 depend from independent Claim 17 and recite further features of the Claimed invention.

Bertrand et al. does not anticipate or render obvious a method for determining an action selection that is based upon an outcome relative to a subject that includes “a) acquiring and storing a training set, said training set an existent database of information, wherein said information are attributes of said subject, wherein said training set is to provide a base of data for said method” as is recited in Claim 1 (and similar limitations of Claims 9 and 17). The Applicants respectfully submit that Bertrand et al. only disclose a system designed to teach the user through use of a

simulated environment and providing remedial feedback as required (Abstract).

Bertrand et al. is concerned with evaluating an end user's decisions through use of the disclosed instructional system; Bertrand et al. is not concerned with a computer implemented method for action selection based upon an objective.

It should be appreciated that the limitations of Claim 1 (Claims 9 and 17 have similar limitations) detail specifically defined relationships (e.g., "storing and acquiring...to provide a base of data for said method") between specifically defined types of data constructs (e.g. training set, said method, etc.) that are simply not taught or suggested in the Bertrand et al. reference.

The outstanding Office Action equates the recited acquisition and storage of a training set for the purpose of providing a base of data for the method of action selection detailed in Claim 1 with a large number of elements and features disclosed in Bertrand et al. However, the Applicants respectfully contend that many of these elements and features cited bear no resemblance to the elements and features they are equated to in Claim 1 (Claims 9 and 17 have similar limitations). For example, "acquiring and storing", within the context of the pending application, refers to the acquisition and storing of a training set such as that detailed in Claim 1, whereas acquiring and storing within the context of Bertrand et al. refers to the acquiring and storing of a data array. (See Col. 80, Ln. 41-46.) Thus, what is recited as being acquired and stored in Claim 1 (Claims 9 and 17 have similar limitations) is very different from what is disclosed as being acquired and stored by Bertrand et al. Therefore, the Applicants respectfully submit that to equate the referenced elements

of Bertrand et al. with the aforementioned elements of Applicants' claims would not be reasonable in light of the Applicants' specification.

The Applicants respectfully submit that none of the referenced passages of Bertrand et al. disclose the acquisition and storage of a training set wherein said training set is an existent database of information, wherein said information are attributes of said subject, and wherein said training set is to provide a base of data for a computer implemented method of action selection. Consequently, Bertrand et al. does not anticipate or render obvious the embodiments of Applicants' invention as are set forth in Claims 1, 9, and 17.

Cook et al. does not overcome the deficiencies of Bertrand et al. detailed above. Cook et al. does not anticipate or render obvious a method for determining an action selection that is based upon an outcome relative to a subject that includes the limitations recited in Claim 1 (and similar limitations of Claims 9 and 17). The Applicants respectfully submit that Cook et al. discloses a "system and method for interactive, adaptive and individualized computer-assisted instruction". Cook et al. is not concerned with a computer implemented method for action selection, as detailed in Claim 1 of the pending application. Consequently, Cook et al., alone or in combination with Bertrand et al., does not anticipate or render obvious the embodiments of Applicants' invention as set forth in Claims 1, 9, and 17.

Öten et al. does not overcome the deficiencies of Bertrand et al. detailed above. Öten et al. does not anticipate or render obvious a method for determining an action

selection that is based upon an outcome relative to a subject that includes “a) acquiring and storing a training set, said training set an existent database of information, wherein said information are attributes of said subject, wherein said training set is to provide a base of data for said method” as is recited in Claim 1 (and similar limitations of Claims 9 and 17). Öten et al. is not concerned with a computer implemented method for action selection, as detailed in Claim 1 of the pending application. The Applicants respectfully submit that Öten et al. is concerned with the design of multidimensional systems for the analysis of complex data, and while both “training set” and “mapping” are mentioned, Öten et al. does not discuss “acquiring and storing a training set, said training set an existent database of information. . .wherein said training set is to provide a base of data for” a computer implemented method for action selection, nor does it discuss “mapping of said training set to best behavioral model within a business metric space, wherein said mapping is subsequently stored”. Consequently, Öten et al., alone or in combination with Bertrand et al. and Cook et al., does not anticipate or render obvious the embodiments of Applicants’ invention as set forth in Claims 1, 9, and 17.

Therefore, the Applicants respectfully submit that the claimed embodiments of the invention as set forth in Claims 1, 9 and 17 are in condition for allowance. Accordingly, the Applicants also respectfully submit that Claims 3-8, 11-16, and 19-24, dependent on Claims 1, 9 and 17 respectively, overcome the Examiner’s basis for rejection under 35 U.S.C. 103(a) as they are dependent on allowable base claims.

Claims 2, 10, and 18 are rejected under 35 USC 103(a) as being obvious over Bertrand et al in view of Cook et al and in further view of Öten et al. and in further view of Yumoto et al.

The remarks presented above regarding Bertrand et al., Cook et al., and Öten et al. apply to the discussion of Claims 2, 10, and 18 as well.

Yumoto et al. does not overcome the deficiencies of Bertrand et al., Cook et al., and Öten et al. outlined above. The Applicants respectfully contend that nowhere in Yumoto et al. is taught a computer implemented method for action selection based upon an objective of an outcome relative to a subject and including the limitations of Claims 1 and 2 (Claims 9 and 10, and Claims 17 and 18 contain similar limitations). Consequently, Yumoto et al., alone or in combination with Bertrand et al., Cook et al., and Öten et al., does not anticipate or render obvious the embodiments of the Applicants' invention as set forth in Claims 1, 2, 9, 10, 17, and 18.

Therefore, the Applicants respectfully submit that the claimed embodiments of the invention as set forth in Claims 2, 10, and 18 are in condition for allowance.

Conclusion

In light of the above-listed amendments and remarks, Applicants respectfully request allowance of the remaining Claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

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John P. Wagner, Jr.

Reg. No. 35,398

Two North Market Street

Third Floor

San Jose, California 95113

(408) 938-9060